

JULY 130 U.S. PTO
12/21/01

Please type a plus sign (+) inside this box



12/28/01

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 2183-5223US

First Inventor

Title GENE REGULATOR

Express Mail Label No.

j1036 U.S. PTO
10/20/01

12/21/01

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. Applicant claims small entity status.
See 37 CFR 1.27.

3. Specification [Total Pages]
(preferred arrangement set forth below)
- Descriptive title of the Invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. Drawing(s) (35 U.S.C. 113) [Total Sheets]

5. Oath or Declaration [Total Pages]
a. Newly executed (original or copy)
b. Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
a. Computer Readable Form (CRF)
b. Specification Sequence Listing on:
i. CD-ROM or CD-R (2 copies); or
ii. paper
c. Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 C.F.R. §3.73(b) Statement Power of (when there is an assignee) Attorney
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)

of prior application No: _____ / _____

Prior application information: Examiner _____

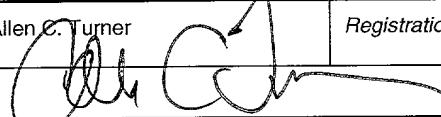
Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

 Customer Number or Bar Code Label  or Correspondence address below
(Insert Customer Number or Bar Code label here)

Name	24247				
	PATENT TRADEMARK OFFICE				
Address					
City	State		Zip Code		
Country	Telephone		Fax		

Name (Print/Type)	Allen C. Turner	Registration No. (Attorney/Agent)	33,041
Signature			Date December 21, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

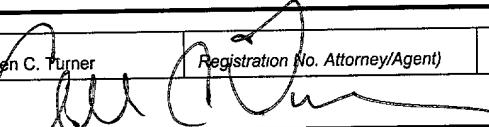
Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 472)

Complete if Known	
Application Number	To be assigned
Filing Date	December 21, 2001
First Named Inventor	Khan et al.
Examiner Name	To be assigned
Group / Art Unit	To be assigned
Attorney Docket No.	2183-5223US

METHOD OF PAYMENT (check one)					FEE CALCULATION (continued)																																																																																																																																																																				
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number 20-1469 Deposit Account Name TraskBritt <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27					3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65 Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25 Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130 Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520 For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920* Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840* Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55 Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200 Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460 Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720 Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980 Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160 Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160 Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140 Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55 Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640 Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640 Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230 Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310 Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130 Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50 Processing fee under 37 CFR 1.17 (q)</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180 Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40 Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370 Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370 For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370 Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900 Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="5">Other fee (specify) _____</td></tr> <tr> <td colspan="5">*Reduced by Basic Filing Fee Paid</td> <td colspan="5">SUBTOTAL (3) (\$ 0)</td> </tr> </tbody> </table>					Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65 Surcharge - late filing fee or oath		127	50	227	25 Surcharge - late provisional filing fee or cover sheet.		139	130	139	130 Non-English specification		147	2,520	147	2,520 For filing a request for reexamination		112	920*	112	920* Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840* Requesting publication of SIR after Examiner action		115	110	215	55 Extension for reply within first month		116	400	216	200 Extension for reply within second month		117	920	217	460 Extension for reply within third month		118	1,440	218	720 Extension for reply within fourth month		128	1,960	228	980 Extension for reply within fifth month		119	320	219	160 Notice of Appeal		120	320	220	160 Filing a brief in support of an appeal		121	280	221	140 Request for oral hearing		138	1,510	138	1,510 Petition to institute a public use proceeding		140	110	240	55 Petition to revive - unavoidable		141	1,280	241	640 Petition to revive - unintentional		142	1,280	242	640 Utility issue fee (or reissue)		143	460	243	230 Design issue fee		144	620	244	310 Plant issue fee		122	130	122	130 Petitions to the Commissioner		123	50	123	50 Processing fee under 37 CFR 1.17 (q)		126	180	126	180 Submission of Information Disclosure Stmt		581	40	581	40 Recording each patent assignment per property (times number of properties)		146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))		149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))		179	740	279	370 Request for Continued Examination (RCE)		169	900	169	900 Request for expedited examination of a design application		Other fee (specify) _____					*Reduced by Basic Filing Fee Paid					SUBTOTAL (3) (\$ 0)				
Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																					
105	130	205	65 Surcharge - late filing fee or oath																																																																																																																																																																						
127	50	227	25 Surcharge - late provisional filing fee or cover sheet.																																																																																																																																																																						
139	130	139	130 Non-English specification																																																																																																																																																																						
147	2,520	147	2,520 For filing a request for reexamination																																																																																																																																																																						
112	920*	112	920* Requesting publication of SIR prior to Examiner action																																																																																																																																																																						
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action																																																																																																																																																																						
115	110	215	55 Extension for reply within first month																																																																																																																																																																						
116	400	216	200 Extension for reply within second month																																																																																																																																																																						
117	920	217	460 Extension for reply within third month																																																																																																																																																																						
118	1,440	218	720 Extension for reply within fourth month																																																																																																																																																																						
128	1,960	228	980 Extension for reply within fifth month																																																																																																																																																																						
119	320	219	160 Notice of Appeal																																																																																																																																																																						
120	320	220	160 Filing a brief in support of an appeal																																																																																																																																																																						
121	280	221	140 Request for oral hearing																																																																																																																																																																						
138	1,510	138	1,510 Petition to institute a public use proceeding																																																																																																																																																																						
140	110	240	55 Petition to revive - unavoidable																																																																																																																																																																						
141	1,280	241	640 Petition to revive - unintentional																																																																																																																																																																						
142	1,280	242	640 Utility issue fee (or reissue)																																																																																																																																																																						
143	460	243	230 Design issue fee																																																																																																																																																																						
144	620	244	310 Plant issue fee																																																																																																																																																																						
122	130	122	130 Petitions to the Commissioner																																																																																																																																																																						
123	50	123	50 Processing fee under 37 CFR 1.17 (q)																																																																																																																																																																						
126	180	126	180 Submission of Information Disclosure Stmt																																																																																																																																																																						
581	40	581	40 Recording each patent assignment per property (times number of properties)																																																																																																																																																																						
146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																						
149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																						
179	740	279	370 Request for Continued Examination (RCE)																																																																																																																																																																						
169	900	169	900 Request for expedited examination of a design application																																																																																																																																																																						
Other fee (specify) _____																																																																																																																																																																									
*Reduced by Basic Filing Fee Paid					SUBTOTAL (3) (\$ 0)																																																																																																																																																																				
2. EXTRA CLAIM FEES <table border="1"> <thead> <tr> <th>Total Claims</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>22</td> <td>-20 **</td> <td>2</td> <td>X 9 = 18</td> </tr> <tr> <td>Independent Claims 5</td> <td>-3 **</td> <td>2</td> <td>X 42 = 84</td> </tr> <tr> <td colspan="4"> X _____ = 0 </td> </tr> </tbody> </table> Large Entity Small Entity <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr> <tr><td>102</td><td>84</td><td>202</td><td>42</td><td>Independent claims in excess of 3</td></tr> <tr><td>104</td><td>280</td><td>204</td><td>140</td><td>Multiple dependent claim, if not paid</td></tr> <tr><td>109</td><td>84</td><td>209</td><td>42</td><td>** Reissue independent claims over original patent</td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td></tr> </tbody> </table> SUBTOTAL (2) (\$ 102)					Total Claims	Extra Claims	Fee from below	Fee Paid	22	-20 **	2	X 9 = 18	Independent Claims 5	-3 **	2	X 42 = 84	X _____ = 0				Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	103	18	203	9	Claims in excess of 20	102	84	202	42	Independent claims in excess of 3	104	280	204	140	Multiple dependent claim, if not paid	109	84	209	42	** Reissue independent claims over original patent	110	18	210	9	** Reissue claims in excess of 20 and over original patent																																																																																																																							
Total Claims	Extra Claims	Fee from below	Fee Paid																																																																																																																																																																						
22	-20 **	2	X 9 = 18																																																																																																																																																																						
Independent Claims 5	-3 **	2	X 42 = 84																																																																																																																																																																						
X _____ = 0																																																																																																																																																																									
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description																																																																																																																																																																					
103	18	203	9	Claims in excess of 20																																																																																																																																																																					
102	84	202	42	Independent claims in excess of 3																																																																																																																																																																					
104	280	204	140	Multiple dependent claim, if not paid																																																																																																																																																																					
109	84	209	42	** Reissue independent claims over original patent																																																																																																																																																																					
110	18	210	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																					

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY						Complete (if applicable)	
Name (Print/Type)	Allen C. Turner	Registration No. Attorney/Agent	33,041	Telephone	801-532-1922		
Signature				Date	December 21 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.